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PROVISIONAL VERBATIM RECORD OF THE FIFTY-EIGHTH MEETING

Held at Headquarters, New York,
on Thursday, 6 December 1990, at 10 a.m.

President:	Mr. de MARCO	(Malta)
later:	Mr. AFONSO (Vice-President)	(Mozambique)
later:	Mr. de MARCO (President)	(Malta)

- Policies of Apartheid of the Government of South Africa [34] (continued)
  - (a) Report of the Special Committee against Apartheid
  - (b) Report of the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa
  - (c) Report of the Commission against Apartheid in Sports
  - (d) Reports of the Secretary-General
  - (e) Report of the Special Political Committee
  - (f) Draft resolution

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 34 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

(a) REPORT OF THE SPECIAL COMMITTEE AGAINST APARTHEID (A/45/22 and Add.1)

(b) REPORT OF THE INTERGOVERNMENTAL GROUP TO MONITOR THE SUPPLY AND SHIPPNG OF OIL AND PETROLEUM PRODUCTS TO SOUTH AFRICA (A/45/43)

(c) REPORT OF THE COMMISSION AGAINST APARTHEID IN SPORTS (A/45/45)

(d) REPORTS OF THE SECRETARY-GENERAL (A/45/162, A/45/539, A/45/550, A/45/637, A/45/670)

(e) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/45/815)

(f) DRAFT RESOLUTION (A/45/L.31)

Mr. MUMBENGEGWI (Zimbabwe): One year ago this month, at a special session of the General Assembly, the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa was adopted by consensus. The fact that it was the first time a substantive text on the situation in that region had been adopted by all Members of the United Nations makes this Declaration a historic landmark in the long struggle by the international community to eradicate apartheid.

(Mr. Mumbengegwi, Zimbabwe)

As we all know, the United Nations Declaration, based largely on the Harare Declaration, makes provision for four distinct but interrelated sets of processes. First, it calls upon the South African régime to take measures to create a climate conducive to negotiations; secondly, it provides guidelines for the process of negotiations; thirdly, it spells out in very clear and specific terms a programme of action; and, fourthly, it provides a set of fundamental principles to guide the drawing up of a new constitutional order on the basis of which South Africa would take its rightful place as an equal partner in the world community of nations.

Twelve months have elapsed since that historic Declaration was adopted. We believe that it is now time to pause and take stock of its implementation. In this regard, we should like to congratulate the Secretary-General on the very thorough and comprehensive report (A/44/960) he presented in July 1990. It has been brought up to date in many respects by the report of the Special Committee against Apartheid (A/45/22), which chronicles, in meticulous detail, the developments in southern Africa over the past year. The Chairman, Ambassador Ibrahim Gambari of Nigeria and the other members of the Special Committee as well as the hard-working staff of the Centre against Apartheid deserve our most sincere congratulations and commendations on a job extremely well done.

We all recall that the Secretary-General's report concluded that the political process towards the dismantlement of the apartheid system was still at an early stage. It went on to observe that while it was evident that an important process had been set in motion many believed that the régime should implement all measures, in their totality, to create an appropriate atmosphere.

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(Mr. Mumbengegwi, Zimbabwe)

At the resumed Assembly session, in September 1990, the international community, again by consensus, determined that further steps needed to be taken by the South African régime to implement the profound and irreversible changes called for in the Declaration.

Barely had the ink dried on the consensus resolution in September when controversy broke out on two important issues: first, the interpretation of the term "profound and irreversible", and secondly, how to encourage the régime in South Africa to institute the required changes.

The term "profound and irreversible" has become controversial precisely because it has often been taken in isolation and out of context. The Declaration specifically refers to

> "clear evidence of profound and irreversible changes, bearing in mind the objectives of this Declaration". (resolution S-16/1, annex, para. 9 (d))

The question which then arises is: what are the objectives of the Declaration? The answer comes out loud and clear. In the consensus Declaration we commit ourselves

> "to do everything in our power to increase support for the legitimate struggle of the South African people, including maintaining international pressure against the system of apartheid until that system is ended and South Africa is transformed into a united, democratic and non-racial country, with justice and security for all its citizens". (ibid., fifteenth preambular paragraph)

The acid test, therefore, is whether apartheid has been ended, whether South Africa is now democratic, whether South Africa is now non-racial. If the answers to those questions are in the negative, which they certainly are, then whatever change might have taken place can be neither profound nor irreversible. In concrete terms, my delegation contends that the dismantlement of apartheid will

(Mr. Mumbengegwi, Zimbabwe)

become irreversible only when the existing unrepresentative apartheid legislative structures have their present power removed and vested in either a constituent assembly or in any other interim transitional structure agreed upon by the people of South Africa.

Let us now look at the controversy surrounding the question of encouragement.

Two basic trends of thought seem to have emerged. One is that the régime has moved sufficiently in the right direction to warrant some reward to encourage it to do more. The proposed reward is to relax existing international measures. The other is that what the régime has done so far is of a cosmetic and superficial nature. The régime was compelled to take the small steps as a result of a combination of internal mass resistance and international pressure and isolation. Therefore the only logical way to encourage the régime to take the big steps is at least to maintain the existing sanctions.

It is indeed surprising that the way to encourage the régime to carry out more change has become a point of dispute. The Declaration itself is very explicit on this matter, and it was adopted by consensus. The same position was confirmed, again by consensus in resolution 44/244, of September 1990, when the Assembly called upon

> "all Governments and intergovernmental organizations to adhere strictly to the programme of action contained in the Declaration by maintaining existing measures aimed at encouraging the South African régime to eradicate apartheid ..." (resolution 44/244, para. 3)

(Mr. Mumbengegwi, Zimbabwe)

Clearly, anything less than the maintenance of existing measures would be not only contrary to the letter and the spirit of the December 1989 and September 1990 consensus decisions but also a regrettable disincentive for the régime to comply fully with the demands and requirements in the Declaration.

It is quite startling that voices are already being raised in favour of relaxing sanctions, when both the report of the Secretary-General and the report of the Special Committee against Apartheid clearly show that so far the régime has not even created a climate conducive to negotiations. If we now abandon the programme of action outlined in the Declaration, what guarantees do we have that such a climate will be created? What guarantees do we have that agreement will be reached on the mechanism for drawing up a new constitution and on other transitional arrangements? Indeed, what guarantees do we have that South Africa will become a united, non-racial and democratic State in which all its people, regardless of race, colour, sex or creed, would enjoy common and equal citizenship and all its people would have the right to participate in the government and administration of the country on the basis of universal, equal suffrage, under a non-racial voters' roll, in a united and non-fragmented South Africa?

The answer at this point is a deafening none, none whatsoever. There is no guarantee whatsoever that the régime will comply with the demands of the Declaration. Therefore, for the international community to throw away the only weapon it possesses, which had raised the hope of the possibility of a peaceful negotiated settlement of the question of apartheid, would be to leave the heroic people of South Africa with no option but to resort to every means at their disposal to liberate themselves from the yoke of apartheid. The cost of such an option in terms of human life, human suffering and human misery is absolutely incalculable.

(Mr. Mumbengegwi, Zimbabwe)

When we stand here appealing to the international community to maintain the pressure on racist South Africa we are not unmindful of the fact that the régime has lifted its ban on the African National Congress, the Pan Africanist Congress of Azania and other political organizations; we are not unmindful of the fact that the régime has released some political prisoners, including that illustrious son of Africa who has become a legend in his own lifetime, Nelson Mandela. The régime has even repealed the Separate Amenities Act, No. 49 of 1953, thus removing petty apartheid from the statute book.

What we are saying is that the pillars of apartheid are still intact. Those pillars are represented in the statute book by the Population Registration Act, No. 30 of 1950, which prescribes the registration at birth of all South Africans by race; the Native Lands Act of 1913 and the Development Trust and Land Act of 1936, which establish the principle of territorial segregation by race; and the Group Areas Act, No. 41 of 1950, which empowers the régime to declare areas for use, whether for housing, education or industrial development, strictly according to race. It is thus clear why the battery of apartheid laws still in existence makes us wonder whether the repealed Separate Amenities Act was not totally superfluous.

We are fully aware of the fact that thousands of political prisoners continue to languish in the régime's gaols, some of them on death row. Indeed, obstacle after obstacle is being put in the path of political exiles to impede their return. The régime has given itself the power to determine the conditions under which exiles may be allowed to return to the land of their birth, in spite of the international community's appeal for their unconditional return. Therefore, on the political front, we are saying that the lifting of the ban on political parties and the release of some political prisoners have not created freedom of political

(Mr. Mumbengegwi, Zimbabwe)

activity. The continued existence of repressive laws, the most notable of which are the notorious Internal Security Act and Public Safety Act, further militates against such freedom.

The Internal Security Act confers on the authorities extremely wide powers concerning detention without trial and the banning of persons, organizations, gatherings and publications. The Public Safety Act allows the authorities to designate any area an "unrest area", which bestows the same wide, arbitrary and far-reaching powers normally associated with a state of emergency. These powers were in fact invoked as recently as August 1990, when 19 magisterial districts encompassing 27 black townships were designated unrest areas, much to the consternation of anti-apartheid organizations.

It is quite clear that so far the pillars of apartheid are still firmly in place. It is true that vague promises have been made by the régime, but the Declaration calls for far more than promises. Let us hold on to the consensus thus far achieved until the objectives of the Declaration are attained. We are still witnessing talks about talks; negotiations have not even begun. It is our firmly held belief that the premature relaxation of existing measures could well render a negotiated solution to apartheid unattainable.

In conclusion, I should like to express my appreciation to the Secretary-General and to the Special Committee against Apartheid for their sterling work in continuing to keep us abreast of developments in South Africa through their well-documented reports.

Mr. CHADERTON (Venezuela) (interpretation from Spanish): It is Venezuela's traditional, steadfast policy to repudiate apartheid and all other discriminatory and racist practices applied by the Government of South Africa. As we have affirmed in many forums in statements on this subject, my country has no diplomatic, consular, trade, cultural, sporting or any other kind of relations with the racist Pretoria régime.

We welcome the beginning of a process of change in South Africa. My delegation repeats how pleased it is at the release of Nelson Mandela and at the fact that the negotiations taking place between the African National Congress of South Africa and the Government of that country have eliminated some of the obstacles to the changes that must inevitably occur in that region.

Venezuela is aware that the pressure exerted by the international community has played an important role in the developments in the position of the Pretoria Government that we are now witnessing. Convinced that that would be the case, we introduced in 1982 the draft resolution on the oil embargo against South Africa and have since participated in the work of the Group of Experts entrusted with holding hearings on the subject. In this connection, our country has shown a particularly high sense of responsibility and has assisted the Group whenever it has been requested to do so.

We also consider it important that the white minority in South Africa be aware of the international community's condemnation of the policies and practices of apartheid, whose foundations largely remain intact. That is why we unreservedly support the work of the Commission against Apartheid in Sports, as a practical and realistic way of demonstrating to that minority our unanimous rejection of the discriminatory and racist practices applied in South Africa. My country has strictly applied domestically, and continues strictly to apply, the Commission's recommendations.

(Mr. Chaderton, Venezuela)

Venezuela believes that the international community must not lower its guard because of the progress made under the De Klerk Government. Rather, it should continue to exert pressure and fully to implement the sanctions established in the framework of the United Nations. That is why my delegation wishes to participate in the work of the Special Committee against Apartheid, being convinced that our actions must not cease until the South African racist régime has been eliminated and replaced by a democratic system in which all South Africans have equal rights and opportunities.

Mr. OUDOVENKO (Ukrainian Soviet Socialist Republic) (interpretation from Russian): Today's debate and the documents submitted to us for consideration under this agenda item reveal even more clearly the anachronism of the apartheid system in today's world, marked as it is by the irresistible movements of peoples for democracy and progress. The selfless struggle of the enslaved people of South Africa and international pressure have forced the Government of that country to proclaim its intention to take action to eliminate the apartheid system and to negotiate a new Constitution.*

The De Klerk Government has instituted a number of reforms. The ban on the activities of political parties and organizations has been lifted, the state of emergency has been ended, and the most repugnant legislative Acts which buttress the apartheid system have been repealed.

Despite a certain amount of progress in implementing the Declaration on Apartheid and its Destructive Consequences in Southern Africa, mentioned in the Secretary-General's report, the apartheid system, although it has been shaken, has not been totally eliminated. Furthermore, the Government of South Africa has not met all the necessary conditions for establishing a climate conducive to

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* Mr. Afonso (Mozambique), Vice-President, took the Chair.

(Mr. Oudovenko, Ukrainian SSR)

negotiations. The remaining structures of apartheid are still a serious impediment o a non-racial, democratic society in South Africa.

A serious destabilizing factor and a threat to change is now the problem of violence in South Africa, a problem that merits constant attention. The scale of the violence and the number of victims are worrying. In one part of Natal alone, in Edendale, now known as "Widows' Dale", from 1987 to June 1990 about 3,300 people died and tens of thousands were wounded. In addition, about 50,000 people have been made homeless.

Certain circles are trying to portray tribal enmity as the reason for the wave of violence in South Africa. We believe that that idea conceals the close link between today's violence and the system of apartheid, which still obtains. Furthermore, it has become a convenient pretext for maintaining the state of emergency and the presence of the forces of repression in certain areas of the country. This formula is being used to distract attention from an understanding of the real reasons for these conflicts, whose basis is not always inter-tribal rivalry but, rather, is political. As is rightly noted in the report of the Special Committee against Apartheid,

> "The pervasive violence is a strong factor in preventing previously banned organizations from effectively rebuilding their structures and impedes the development of a democratic debate on negotiations and a future constitution ... As long as political organizations are unable to rebuild effective structures, the régime may hold an advantage that may ultimately allow it to set the pace of negotiations and even the terms of the constitutional dispensation itself." (A/45/22, para. 10)

(Mr. Oudovenko, Ukrainian SSR)

The persistent acts of violence are also a serious impediment to the negotiations between De Klerk and the African National Congress of South Africa (ANC). We share the international community's deep concern over the escalation of violence in South Africa, which, as is rightly noted in resolution 44/244, adopted on 17 September this year, is a consequence of the maintenance of the policies, practices and structures of apartheid and of the actions of those who oppose democratic reforms in South Africa.

The Ukrainian Soviet Socialist Republic believes that the provisions of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted in this Hall a year ago, are still fully valid. The programme of action outlined in the Declaration is just beginning to be implemented. We feel that the success of that process should be promoted by concerted effective steps by the international community speedily to eliminate the apartheid system. The corner-stone of such measures is sanctions. The Declaration adopted at the sixteenth special session calls upon us

> "To ensure that the international community does not relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes". (resolution S-16/1, para. 9 (d))

(Mr. Oudovenko, Ukrainian SSR)

In this connection, I should also like to draw your attention to the Secretary-General's report (A/45/539) on international financial pressure on the apartheid economy of South Africa pointing to the significant means of pressure brought to bear by the international community on the apartheid régime. As is clear from the report, despite individual and collective measures taken by the international community to organize economic pressure on South Africa, many channels for receiving credits to bolster the economics of apartheid have not yet been sealed off. Statistics of the Organisation for Economic Co-operation and Development (OECD) and the Bank for International Settlements (BIS) are quoted in the report. They show that South African organizations have been successful in attracting new medium-term and long-term credits. The Secretary-General's report again reaffirms the need for the international community to keep up economic pressure on the apartheid régime until that shameful system of racism and racial discrimination is fully dismantled.

An important role in implementing sanctions is played by the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa. We commend the achievements of the Group in discharging its mandate, and call on all States to co-operate closely with it in order to thwart all possible attempts by South Africa to get around the oil embargo. Governments should also pay particular attention to the draft model law for the effective enforcement of the oil embargo against South Africa, which is suggested in the Group's report, for adoption of appropriate domestic legislation in order to prevent the violation of the ban on deliveries of oil and petroleum products to South Africa.

I should like to take this opportunity to express our gratitude to the Permanent Representative of Tanzania, Mr. Anthony Nyakyi, Chairman of the Intergovernmental Group, for his skilful guidance and personal contribution to its work.

(Mr. Oudovenko, Ukrainian SSR)

The Ukrainian SSR advocates concerted action by the international community against the apartheid system, and believes that the people of South Africa themselves should have the last word in eliminating the system of racial oppression. The international community should give every support to that just struggle and, inter alia, give broad support to the opponents of apartheid.

On the basis of an evaluation of the domestic political situation in South Africa and its foreign relations, it should be noted that the international community can look forward with hope to the development of the process of dismantling apartheid. Today it can be said that the situation in South Africa is still moving towards encouraging changes. Hence, we believe that right now there is an urgent need to review and rethink the work of the basic anti-apartheid bodies within the United Nations system, particularly taking into account the need and, more importantly, the real possibility of combining and co-ordinating the actions of the international community here. Accordingly, the work of the United Nations Special Committee against Apartheid should be increasingly governed by the need to combine the efforts of all countries and intergovernmental and non-governmental organizations to speed up the elimination of the apartheid system. The primary task here is to define its proper place in the context of combined efforts to find a common denominator among all the possible approaches of member countries of the Special Committee to see how to make the incipient process of reform in southern Africa irreversible and more thorough. All of this is virtually impossible without involving a greater number of active advocates and increasing membership. One might think about the positive reaction and encouragement of the Government of South Africa to take further practical steps to dismantle apartheid. To this end, we need a more thoroughgoing scientific analysis of the domestic political and economic situation in South Africa, as well as of action being taken by individual countries in the international community as a whole.

(Mr. Oudovenko, Ukrainian SSR)

We need carefully prepared, verified information and conclusions drawn from it. This should all be reflected in the annual reports of the Special Committee againt Apartheid. The report submitted this year, document A/45/22, does not yet fully meet these requirements. We believe that the main reason for this is the lack of a truly convincing data base. We strongly believe that the necessary information should be requested from a broad spectrum of possible scurces, including governmental and non-governmental organizations. The main point is, if we want to reach a consensus, the report should also be based on information received from government sources. This is particularly important. It is a matter of actually naming individual States in an official United Nations document. A good example which could be followed, we believe, is the interesting report of the Secretary-General on measures to monitor sanctions against South Africa, contained in document A/45/670.

Also, we cannot fail to take note of the great personal efforts made, the enormous tact and patience shown, the high degree of professionalism, the striking political wisdom of the Permanent Representative of Nigeria to the United Nations, Mr. Ibrahim Gambari, manifest in the work of the Special Committee against Apartheid. We fully support the work he has carried out in that post.

In conclusion, I should like to reiterate solidarity of the Ukrainian SSR with the struggle of the people of South Africa for the final elimination of the apartheid system. The Ukrainian SSR gives political and moral support to the African National Congress of South Africa (ANC), the recognized vanguard of the people of South Africa. We support the ANC initiatives towards finding political solutions to the conflict in southern Africa, including its decision to cease armed struggle. This last point reflects the political wisdom and maturity of that liberation movement of South Africa, and will doubtlessly promote the shift to a democratic, non-racial society.

(Mr. Oudovenko, Ukrainian SSR)

An active role in the process of negotiations should be played by the representatives of the Pan Africanist Congress of Azania (PAC) and other political organizations in order to achieve the universal goal. We express the hope that the Government of South Africa will take further steps to implement profound, irreversible changes, in response to the appeal contained in the Declaration of the sixteenth special session of the General Assembly.

Mr. ADNAN OTHMAN (Malaysia): My delegation recalls that during the course of the past year the Assembly has deliberated the question of apartheid on four occasions: the forty-forth session of the General Assembly in 1989, the sixteenth special session of the General Assembly on apartheid in December of that year, the resumed forty-fourth session of the Assembly last September and the current session. This makes the question of apartheid not only one of the longest-standing issues on the Assembly's agenda but also one of the issues the Assembly has deliberated the most.

In the meantime we have noted some positive measures undertaken by the Pretoria régime during this period: the unbanning of political organizations, the lifting of the state of emergency and the plan to repeal the Land Acts and the Group Areas Act in South Africa. While we welcome those changes, a lot more is needed. The main features of apartheid - the Land Acts of 1913 and 1973, the Bantu Education Act, the bantustan system, the Population Registration Act and the tri-cameral parliamentary system - are still intact. Until they are all removed, until a constituent sssembly is elected on the basis of one-person, one-vote, and until a new constitution is in place, the international community must continue to apply the necessary pressure on South Africa.

Unfortunately, there are already impatient voices calling for the lifting of sanctions. They are the voices of the apologists of apartheid, who claim that the lifting of sanctions is needed to allow for economic development in South Africa in order to rescue the blacks from unemployment, poverty, illiteracy and social injustice. We have often heard such considerate, kind and consoling voices, but their premises are contradicted by the fact that the black South Africans continue to be oppressed and cheated of their natural birthrights. The truth of the matter is that the apologists of apartheid are interested more in protecting their vested interests than they are in the welfare and legitimate rights of the blacks.

(Mr. Adnan Othman, Malaysia)

The report of the Special Committee against Apartheid of 21 November 1990 acknowledged that:

"South Africa has entered a process of change that may lead to the end of apartheid through negotiations." (A/45/22, para. 8)

The report further pointed out that:

"The resistance of the majority of its people and international pressure have been instrumental in persuading the leadership of the National Party to move towards the eradication of the apartheid system and negotiations on a new constitution." (ibid.)

But the same report also states:

"... the resulting changes that have occurred are far from being fundamental." (ibid., para. 9)

The report asks:

"... will South Africa be transformed into a non-racial, united, democratic State, or will the hegemony of the existing white minority bloc be entrenched in new and subtle forms?" (ibid., para. 18)

Malaysia shares those sentiments and believes that the question raised in the report calls for a clear answer. Meanwhile, South Africa should be subjected to more stringent sanctions. To relax international pressure now would be to weaken the resistance against apartheid and further delay the resolution of the problem. Such a delay would only spell further untold sufferings for the black South Africans.

In his report on the work of the Organization, the Secretary-General stated that:

"The political process towards dismantling the apartheid system is yet at any early stage and difficulties are still caused by the continuance of apartheid

(Mr. Adnan Othman, Malaysia)

structures, questionable police practices, repressive laws and politically related violence." (A/45/1, p. 4)

He went on to state that:

"The prospect of a non-racial democracy in South Africa in the not-too-distant future is no longer unrealistic." (ibid., p. 5)

Malaysia, too, believes that change in South Africa is inevitable. We welcome the ongoing talks between the African National Congress of South Africa (ANC) and the South African régime aimed at facilitating the commencement of substantive, broad-based negotiations. The Groote Schuur meeting early this year between ANC leaders and South African authorities was significant, representing as it did the first direct talks between the two parties in 78 years. It was viewed as the beginning of a process to clear away all the obstacles to negotiations and, in particular, as a commitment to a resolution of the existing climate of violence and intimidation, from whatever quarter, and a commitment to stability and to a peaceful process of negotiation. My delegation commends the ANC for having taken the initiative in calling for talks with the South African régime and for its historic decision to suspend the armed struggle, as spelt out in the Pretoria Minute of 6 August 1990. In turn, we expect the Pretoria régime to proceed without delay to establish a climate fully conducive to negotiations by taking all the steps stipulated in the United Nations Declaration on Apartheid and, in particular, to implement its call for the repeal of all repressive legislation.

It is evident that the changes so far introduced by Pretoria have come about only because of the economic pressures against South Africa. There is a net capital flow out of the country, reduced foreign exchange and technological stagnation. We call upon all States to prohibit all investments in South Africa and urge transnational corporations and banks not to help South Africa circumvent

(Mr. Adnan Othman, Malaysia)

international restrictions. We further urge international financial institutions not to extend new loans to the Pretoria régime. In short, the international community must undertake concerted and effective measures - particularly in the areas of trade, investment, technology, oil and petroleum products, finance and transport - aimed at applying pressure to ensure a speedy end to apartheid.

Most important of all, there must be a full observance by all countries of the mandatory arms embargo. In this connection my delegation deplores the actions of those States that directly or indirectly continue to violate the arms embargo and to collaborate with the South African Government in the military and nuclear fields. Malaysia calls upon those States to desist from such acts and to honour their obligations under Security Council resolution 421 (1977). As a member of the Security Council, Malaysia stands ready to consider immediate steps to ensure the scrupulous and full implementation of the mandatory arms embargo, and in that context it is actively participating in the Security Council Committee established under resolution 421 (1977).

The international community is watching developments in South Africa with great interest and hopes to see a peaceful transition to a stable, free and prosperous South Africa. The long-suffering black Africans deserve to reap the fruits of their struggle against apartheid.

My delegation is deeply concerned over the tragic wave of violence among blacks in South Africa, the latest incident of which occurred last Sunday, 2 December 1990, when 71 people were reported killed. The interfactional violence among the blacks could only be used as a pretext by the South African régime to scuttle the process of change in South Africa. If the blacks are not united it will only weaken the struggle against apartheid. The lack of unity will offer the Pretoria régime plausible excuses for introducing Draconian laws that can prolong

(Mr. Adnan Othman, Malaysia)

apartheid and its minority rule. That must be avoided at all costs. Only a united and well-co-ordinated opposition against apartheid will be effective. Malaysia calls upon all the parties concerned to create an atmosphere free of violence, and to that end we welcome the recent meeting of the black leaders in South Africa and support the future meeting of Mr. Mandela and Mr. Buthelezi.

Malaysia strongly supports the historic United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa. We believe that it is a very important contribution to the evolving process of political change, and we call upon the South African régime to continue vigorously to implement the provisions of the Declaration fully and immediately.

(Mr. Adnan Othman, Malaysia)

At the same time, all Governments and intergovernmental organizations must adhere strictly to the programme of action contained in the United Nations Declaration by maintaining existing measures aimed at encouraging the South African régime to eliminate apartheid until there is clear evidence of profound and irreversible changes that could bring about a united, non-racial and democratic South Africa. We must walk the last mile together and in harmony.

Finally, my delegation would like to recall a remark made by the Secretary-General in his report on progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. He stated clearly that:

> "There is a general perception that the path taken by the Government offers real promise for constructive political discussion and represents a significant change from the position of its predecessors. Yet, there is also a widespread belief that a number of additional steps are required to establish an atmosphere favourable to free political activity. ... So long as racial attitudes persist and apartheid structures at the local level remain, the process for change will encounter difficulties." (A/44/960, para. 254)

Malaysia fully agrees with the remark made by the Secretary-General and urges the Pretoria régime to address these issues as a matter of urgency.

Mr. KHAMSY (Lao People's Democratic Republic) (interpretation from French): On 14 December 1989 the sixteenth special session of the General Assembly adopted by consensus the Declaration on Apartheid and its Destructive Consequences in Southern Africa, in which, inter alia, it set forth the guidelines for negotiations and a programme of action. That date was indeed a turning point in the history of the international community's struggle against apartheid. Almost a year has passed since that time and what has happened? How far has that important Declaration been implemented.

(Mr. Khamsy, Lao People's Democratic Republic)

Since the adoption of the Declaration, according to various reports and well-informed sources, from the Special Committee against Apartheid and from the Secretary-General - to whom my delegation wishes to pay a tribute - important developments have taken place in the political situation in South Africa. A number of political prisoners, including the great leader of the African National Congress (ANC), Nelson Mandela, have been released. The bans and restrictions imposed on organizations and proscribed persons have been lifted. Formerly banned political parties have been legalized. On 18 October 1990, the state of emergency extending throughout South Africa was totally lifted and the President of South Africa declared, inter alia, that the Land Acts of 1913 and 1936, which created "rural apartheid", would also be repealed at the beginning of next year

> "as part of a comprehensive programme to remove all racially discriminatory restrictions on the acquisition of land". (A/45/659, p. 2)

It was stated that the repeal of these laws would be

> "coupled with immediate non-discriminatory access to sources of financing such as the Landbank and Agricultural Credit". (ibid.)

The decision to suspend the armed struggle taken by the ANC leaders, to whom my delegation pays a sincere tribute for their courage and wisdom, should be welcomed. It proves beyond any doubt that the ANC has stated its preference for the search for solutions to the problems of apartheid by peaceful means, in particular direct negotiations with the South African Government, provided that Government demonstrates sincerity in both words and deeds. The present negotiations between the two parties and the Groote Schuur and Pretoria Minutes offer real prospects of progress. They show clearly that apartheid can only be

(Mr. Khamsy, Lao People's Democratic Republic)

eliminated by peaceful and political means if Pretoria is determined to go the whole way - that is, to dismantle that inhuman régime completely by complying strictly with the provisions of the Declaration.

My delegation fully supports the agreement reached on 6 August 1990 by the South African Government and the ANC, which states in particular that

"It is essential that there be greater understanding between all sectors of the population so that they can acknowledge that all problems can and should be resolved by negotiation."

We firmly support all peaceful efforts aimed at the complete elimination of apartheid, and warmly welcome the political progress so far made.

However, the road leading to the complete attainment of the goals of the Declaration on Apartheid and its Destructive Consequences is still a long one. Not all the conditions in the Declaration have yet been met. Regrettably, of the five criteria for the creation of a climate conducive to negotiations mentioned in paragraph 6 of the Declaration, only two have been met, that is: the lifting of bans and restrictions on political parties and the ending of the state of emergency. There remain three others which are just as important, in particular, the immediate, unconditional release of all political prisoners and detainees so that they can participate fully in the political development process in their country. The Internal Security Act and other repressive laws which confer excessive and arbitrary powers on the police are still in force. Furthermore, we see that apartheid remains essentially intact: the Group Areas Act, the Land Acts and the Population Registration Act have not yet been repealed.

(Mr. Khamsy, Lao People's Democratic Republic)

Apartheid still lives and is still a threat at the present stage of negotiations. Internal forces opposed to change in South Africa are very recalcitrant and ready to do everything possible to reverse the trend. They will use any pretext or half-measure to try to delay the elimination of that inhuman régime. It is necessary, therefore, always to remember that it is not reform or revision of the apartheid system that the South African people and the international community demand but purely and simply its total abolition, and that this is the basis of all negotiations.

(Mr. Khamsy, Lao People's Democratic Republic)

Accordingly, it is important that, in their negotiations, the parties concerned should abide by the guidelines set forth in the Declaration. The South African authorities must take appropriate steps, in compliance with the terms of the Declaration, to put an end as soon as possible to the apartheid régime. In the meantime, the international community must redouble its efforts and do everything possible to increase support for the legitimate struggle of the South African people, including keeping up the pressure on the régime until it disappears and until South Africa then becomes a united, democratic and non-racial country and can assume its rightful place as a full member of the family of nations.

Ms. THORPE (Trinidad and Tobago): In his report on the work of the Organization, the Secretary-General has described the current period of international relations as one characterized both by hope and by dangerous unrestraint. My delegation believes that the force of this statement has been nowhere more dramatically demonstrated than in the developments in South Africa over the last 12 months.

In February of this year Trinidad and Tobago joined the international community in applauding the long-awaited release of Mr. Nelson Mandela and some other political prisoners, and the unbanning of the African National Congress (ANC), the Pan Africanist Congress of Azania (PAC) and other organizations. My Government was also encouraged by the readiness of the Pretoria régime to begin direct talks with the ANC with a view to entering into a process of negotiations which might lead to the abolition of apartheid. The repeal of the 1953 Separate Amenities Act, the total lifting of the state of emergency within the country and the release of over 60 political prisoners in September and October of 1990 constituted other possible indications of what could be a willingness on the part of Pretoria to embark upon a process of establishing a climate in South Africa conducive to the negotiations.

(Ms. Thorpe, Trinidad and Tobago)

Yet, the fact remains that political trials have continued in South Africa during 1990, with more than 60 people convicted of political crimes. According to the Commission on Human Rights, by August of this year political trials involving more than 2,180 people were still being conducted in South Africa, and 58 political prisoners remained on death row.

Similarly, the racist régime still has at its disposal security legislation which permits the continued repression of the majority population. These laws include the amended Internal Security Act and the amended Public Safety Act, which allow for detention without trial and, even in the absence of a state of emergency, allow the granting of extended powers to the security forces.

Given the squalid history of the apartheid régime, it is hardly surprising, therefore, that from February to August 1990, 197 persons were reported to have been killed and 2,490 injured as a result of police action. Yet another 13 persons were killed and 83 injured during July and August of this year through terrorist acts by extreme-right groups.

As members of an organization committed to justice, freedom and the dignity of the human person, we can ill afford to become indifferent to the devastating consequences of the reprehensible actions perpetrated by the security forces of South Africa and the extreme-right groups against the majority population. We cannot turn a blind eye to the tragedies caused by vigilante violence and violence between political organizations; nor can we deny that the continued festering of these ailments of apartheid could have dire consequences for the subregion and for Africa as a whole.

For that reason, Trinidad and Tobago welcomes the recent constructive efforts by the ANC, church leaders and others to bring an end to the carnage and to forge some workable agreement towards national reconciliation. My delegation also

(Ms. Thorpe, Trinidad and Tobago)

eagerly awaits the repeal, in 1991, of the Group Areas Act and the Land Acts, along with other repressive laws, including the Constitution Act of 1983 - which established the racially segregated tri-cameral Parliament - the Population Act of 1950 and the Internal Security Act.

Until such action has been taken, it is clear that most of the pillars of apartheid will remain entrenched, and, despite some of the changes instituted in the country in recent months, profound and irreversible changes in keeping with the letter and the spirit of the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa have not been undertaken.

Furthermore, Pretoria continues to reject the principle of universal, equal suffrage under a non-racial voters' roll and has instead put forward the absurd concept of a vote of equal value for all. This represents a mockery of the fundamental principles enunciated in the United Nations Declaration on Apartheid, the Universal Declaration of Human Rights and the relevant international humanitarian instruments, to which Trinidad and Tobago is wholly committed.

To turn very briefly to the vexed question of sanctions, it is with dismay and concern that my delegation has observed the eagerness with which some States are prepared to lift, unilaterally, the limited sanctions and other measures imposed on South Africa and, in some cases, with which they have upgraded their relations with that régime.

As Sir Sridath Ramphal, the former Secretary-General of the Commonwealth, noted in his introduction to the Commonwealth sanctions report,

> "Exhortation will never end apartheid. Even diplomatic pressure will not be enough. Economic pressure will be needed before the white minority yields its monopoly on power. Sanctions add to that pressure and thus are an essential part of the process leading to genuine negotiations in South Africa".

(Ms. Thorpe, Trinidad and Tobago)

To interpret the imposition of sanctions as a punitive measure designed to punish South Africa because it maintains apartheid is deliberately to misunderstand the intention.

Sanctions, the Commonwealth report argues, should be seen as persuasive, as a means of bringing pressure to bear and so persuading the white minority of the necessity of entering into genuine negotiations. Sanctions are designed to prevent a further descent into violence. They are an essential part of the negotiation process, not an alternative to it. Their objective is to facilitate the dismantling of apartheid. The international community must ensure, therefore, that the relaxation of sanctions is not condoned, and should call for a reversal of all decisions that serve to obstruct the process that forced the very changes in South Africa that are now, prematurely, being celebrated.

(Ms. Thorpe, Trinidad and Tobago)

Millions of South Africans, including Mr. Oliver Tambo, Mr. Nelson Mandela, the late Mr. Zephania Mothopeng, and Anglican Archbishop the Most Reverend Desmond Tutu, who over the years have confronted courageously the oppressive system of apartheid, have dared to dream of a prosperous, non-racial, democratic South Africa. That dream has not been lost on the international community. However, at this crucial juncture in the history of South Africa, Member States and intergovernmental and non-governmental organizations, as well as individuals outside South Africa, must similarly dare to make the requisite sacrifices to ensure the attainment of that elusive dream. Apartheid results in social humiliation, personal indignity and individual hardship to those who are victims of its segregationist poison. Hence, a sense of justice and belief in human dignity demand that it be eradicated. Trinidad and Tobago remains committed to that goal and will continue to work closely with others, particularly its fellow members of the Special Committee against Apartheid, towards the attainment of that objective.

Mr. NAGAI (Japan): The Government and people of Japan sincerely appreciate the role the United Nations has been playing in combating racial discrimination and ensuring that people all over the world are accorded their human rights and fundamental freedoms. In particular, Japan pays a high tribute to the efforts which the United Nations has continued to make since the special session on apartheid that was convened in December last year. It is particularly gratifying that the Declaration against apartheid which was adopted by consensus at that time was reaffirmed at the resumed session of the General Assembly on apartheid in September this year.

(Mr. Nagai, Japan)

Japan is firmly and resolutely opposed to apartheid. There is absolutely no justification for racial discrimination in any form. Apartheid, which is nothing other than institutionalized racism, contravenes basic and universal human values and blatantly tramples upon the very spirit of the United Nations Charter. It is thus incumbent upon the international community to demand, with one voice, the eradication of apartheid as soon as possible.

Dramatic changes in the political situation in South Africa are clearly under way. In February this year President De Klerk called for negotiations among all the parties concerned on the future of South Africa and its people, and specifically on a new constitutional dispensation. In order to create a climate conducive to negotiations, Nelson Mandela, among other political prisoners, was released; and anti-apartheid organizations, such as the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC) were unbanned and restrictions on their activities were lifted. Thereafter, through preliminary talks between the Government of South Africa and the ANC, the state of emergency was rescinded and a framework was devised for solving the problems of the repatriation of exiles and the release of political prisoners. Moreover, in October the Government of South Africa abolished the Separate Amenities Act, and it has committed itself to abolishing the Group Areas Act and the Land Acts next year. The ANC, for its part, has agreed to suspend all its armed activities.

We welcome the steady efforts that could contribute to the commencement of full-scale negotiations on a new constitutional dispensation. Japan earnestly hopes that such negotiations will be started as soon as possible, with the participation of the parties concerned, to ensure the establishment of a non-racial and democratic society in South Africa.

(Mr. Nagai, Japan)

Japan seeks to assist efforts for a peaceful and negotiated settlement of the problem of apartheid. Japan particularly appreciates the indispensable roles that President De Klerk and ANC Deputy President Mandela are playing in the reform process. At the time of Mr. Mandela's visit to Japan, from 27 October to 1 November, my Government praised him for his commitment to a peaceful solution of the question of apartheid and expressed its expectation that he would exercise strong leadership in enhancing the unity of the black community.

While we witness these positive developments in South Africa as a whole, however, signs of increased violence are regrettably also discernible. We should not let violence risk jeopardizing the progress made possible by the strenuous efforts of Mr. Mandela and Mr. De Klerk. Once again, I call upon the parties concerned to commit themselves to a peaceful and negotiated solution.

Japan, for its part, looks forward to the time when South Africa will be freed from the yoke of apartheid. Japan recognizes that it is necessary to expand assistance to black people, not only to facilitate a peaceful solution to the South African problems, but also to raise the status of black people so that they will be able to shoulder responsibility for the political and economic management of their country. To that end, Japan has been supporting the United Nations Educational and Training Programme for Southern Africa and other United Nations-related funds for South Africa and Namibia, as well as many non-governmental organizations in South Africa, through the Kagiso Trust. Japan has decided, beginning this fiscal year, to invite black South Africans to come to Japan as trainees under the Japan International Co-operation Agency Programmes, and it will also initiate co-operation in the form of capital grants.

Japan is very aware that the situation in the Republic of South Africa has important implications for the peace and prosperity of the southern African region and, indeed, of the entire continent of Africa. For those reasons, as well as out

(Mr. Nagai, Japan)

of purely humanitarian concern, Japan is determined to continue to participate in efforts to bring about the peaceful solution of the problem of apartheid.

Mr. MAYORGA-CORTES (Nicaragua) (interpretation from Spanish): The new Government of Nicaragua could not fail to participate in these deliberations on apartheid. The importance we attach to this subject is clear from our programme of government, which reaffirms as a guideline for our foreign policy our commitment to condemning apartheid and racism, to supporting the enforcement of human rights, and to promoting the eradication of all forms of discrimination.

That intention was reiterated by Her Excellency Mrs. Violeta Barrios de Chamorro, the President of Nicaragua, in her address before the General Assembly. On that occasion, she welcomed the release of Nelson Mandela and expressed her support for ending racism and apartheid.

(Mr. Mayorga Cortes, Nicaragua)

Nicaragua maintains that, given the existence of apartheid, the responsibility of the international community and of the United Nations to ensure the full enjoyment of human rights in Africa must be affirmed: the right to life, to equality before the law, to freedom in all its manifestations, as well as all of the civil and political rights that have thus far been denied the majority black population of that country.

We support effective international solidarity which will make it possible to find just solutions to the problem of apartheid in the near future, and we associate ourselves unreservedly with the demands and aspirations of the African National Congress (ANC), which is now legitimately established. To that end, in addition to participating actively in the different forums that are considering apartheid, we shall try to assess all the events connected with this issue which is of such importance to our civilized world.

In a concerted action to eliminate apartheid and support the legitimate claims of the people of South Africa, Nicaragua is participating actively in the sanctions adopted by the United Nations and is supporting them. Nicaragua has no trade or political links with the Pretoria Government and continues to support completely the oil embargo on that country, in close co-operation with the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa, which was established under General Assembly resolution 41/35 F of 10 November 1986, and of which Nicaragua is a member.

Our country appreciates the measures taken thus far by many Governments for the strict and consistent implementation of the oil embargo. We believe that such measures are indispensable in maintaining the international pressure against apartheid. Many of the positive developments that have taken place in South Africa would not have been possible without the constant pressure exerted on it by the

(Mr. Mayorga Cortes, Nicaragua)

international community and the United Nations, not least of which is the oil embargo.

Nicaragua is completely in accord with the Declaration adopted by the Heads of State or Government of Non-Aligned Countries in Belgrade in November 1989 by which unanimous support is given to the Declaration adopted by the Organization of African Unity (OAU) on South Africa.

We believe, too, that the persistence of apartheid is one of the main causes of the general crisis in southern Africa and constitutes a threat to international peace and security.

As a State party to the International Convention on the Elimination of All Forms of Racial Discrimination, Nicaragua participated actively in the work of the thirty-eighth session of the Special Committee on the Elimination of Racial Discrimination and endorses that Committee's recommendations. We also reiterate the importance of the Committee's effort to rally public opinion the world over in order to exert further pressure on South Africa to eradicate apartheid by peaceful means.

That is why we reaffirm the unprecedented consensus that was achieved at the sixteenth special session of the General Assembly, on apartheid, last year. The Declaration which the Assembly adopted has as its aim the establishment of a climate conducive to negotiations with a view to the early eradication of apartheid and its replacement by a non-racist and democratic society in which all would take part and the creation of a solid basis for a new constitutional order in South Africa. The most important thing, in our view, is the resolute and prompt implementation of the Programme of Action contained in the text adopted by consensus at the sixteenth special session of the General Assembly, in 1989.

(Mr. Mayorga Cortes, Nicaragua)

In our opinion, the efforts made by the international community have not been in vain. On the contrary, they have begun to bear fruit. This can be seen in the report of the Secretary-General submitted to the Assembly in September of this year, in which he states:

"The official United Nations team which I sent in June to South Africa, with the agreement of the South African Government, observed that the country had reached the threshold of a new era. The political process towards dismantling the apartheid system is yet at an early stage and difficulties are still caused by the continuance of apartheid structures, questionable police practices, repressive laws and politically-related violence. Nor can the fear and anxiety which accompany the fundamental transformation of a society be underestimated.

"However, progress has been made towards establishing an atmosphere conducive to negotiations." (A/45/1, pp. 4-5)

The Secretary-General's report goes on to say:

"The prospect of a non-racial democracy in South Africa in the not-too-distant future is no longer unrealistic. This would carry a significance far beyond that of profound and beneficial change in a large and pluralistic society. It would mean the realization of one of the objectives of the United Nations which goes to the root of the justice and stability of international relations envisaged in the Charter." (ibid, p. 5)

In spite of the progress achieved thus far in the negotiations under way in Pretoria, which are certainly indicative of a change of attitude on the part of the South African Government and of the beginning of a process of transition, it is also clear that, as is pointed out in the latest report of the Special Committee against Apartheid, a great deal still remains to be done in order to put an end to the system.

(Mr. Mayorga Cortes, Nicaragua)

Has the time not come to take more energetic international action to eliminate the significant restrictions still imposed on freedom of political expression in South Africa, which render ineffective the lifting of the state of emergency? Has the time not come to build an international consensus in favour of eradicating the various institutional structures, the so-called pillars of apartheid, and of accelerating the process of transition?

We believe that efforts must be redoubled to put an end to discrimination, violence and instability in South Africa and to see to it that a government is established, with the participation of all democratic and representative forces in that country, so that better times of peace and harmony can be brought to all the countries of southern Africa.

The international community has a primary responsibility to ensure that the process of change that has already begun in South Africa can be brought to a peaceful conclusion. To that end, the current sanctions must be maintained and conditions conducive to negotiation must be further developed.

While we must recognize that the Government of South Africa has adopted various measures in the right direction, it is equally true that greater efforts are also necessary to ensure a political climate which can bring the current process of negotiations to a conclusion.

In this respect, we are pleased at the decision of the African National Congress to contribute to this very necessary climate by suspending its armed action and choosing peaceful means to promote the process of domestic reform.

We also welcome the recognition by the Government of South Africa of the need to change its security laws, and its agreement to release political prisoners even though the political rights of the overwhelming majority have not as yet been fully restored.

(Mr. Mayorga Cortes, Nicaragua)

These are all promising developments which we cannot fail to recognize and which we must encourage in order to avoid further acts of violence, to the detriment of the legitimate interests of all of the South African people.

What can a mature and responsible international community do, a community which is at the threshold of a new and promising era of co-operation, in order to promote satisfactory results in the substantive dialogue that has begun in Pretoria, with serious commitment on both sides to maintain a serious process of negotiation? In our opinion, we are facing two potential and equally dangerous enemies. On the one hand, there is the risk of a feeling of complacency because of the recent favourable developments, and on the other hand there could be impatience with the pace of the dismantling of apartheid and the form it might take.

(Mr. Mayorga Cortes, Nicaragua)

We must be wary of both those attitudes in our action and have faith in the internal process of negotiation that has already begun and should culminate in a new constitution. At the same time, we must firmly maintain international support for the just demands of the black majority of South Africa.

Nicaragua is confident that the process of dialogue and of negotiation that has begun in South Africa will have a successful outcome. This means the adoption of a range of measures that profoundly and irreversibly transform the system of apartheid. Until this occurs we must firmly maintain the existing sanctions, begin to prepare for the economic reconstruction of the country, and devote attention to the social problems that will have to be confronted by a non-racist democratic and participative South Africa. When this occurs, we shall see clearly once again that the United Nations has a role to play, a civilizing role par excellence, and that it can succeed when it has the firm and clear support of all its Member States.

Mr. VAN LIEROP (Vanuatu): Certain words and certain issues, by their very nature, define themselves and establish their own parameters. Lengthy or complex expositions are unnecessary to fix in anyone's mind images of those words or of these issues.

After more than four decades of consistent, and now universal condemnation, the word apartheid has taken its rightful place alongside the words racism, slavery and genocide in human consciousness. Those who practice, and those who defend, apartheid have finally assumed their rightful historical place alongside those to whom racism, the enslavement of one human being by another and genocide were either acceptable or worthy of defence.

After more than four decades the international community no longer debates whether apartheid is an abhorrent doctrine and an evil system. After more than four decades no one reasonably believes that apartheid has any future. After more

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than four decades no rational person believes that apartheid can be reformed or made more palatable. After more than four decades the question is no longer whether but, instead, when the world will finally be rid of this terrible blot on our common humanity, this heinous assault on our common decency.

There is certainly no need to recite here today the many statistics or any of the individual tragedies that have given a special dimension to the world's opposition to the system of apartheid. By now everyone is so familiar with the nature of apartheid that a recitation of statistics can only diminish the true impact it has had on its scores of millions of victims. By now every nation in the world is so morally repulsed by apartheid that its end as a formal system of so-called government is a foregone conclusion.

What remains to be determined is how soon apartheid will end and under what conditions. We are not as inclined as others may be to credit Mr. de Klerk with any great moral awakening. Instead, we credit him with his recent political initiatives, which we believe are based upon his ability to observe reality. We also credit him with courage in conveying the message of reality to his constituents. More important, we credit with courage those who created the reality to which Mr. de Klerk now responds. Whether all his constituents will heed Mr. de Klerk's message and act accordingly remains to be seen.

Today, Nelson Mandela no longer sits behind bars in a cell. However, many courageous South Africans whose only crime was to participate in the struggle for justice still languish behind bars. Furthermore, in a sense, Mr. Mandela is no freer today than he was one year ago or 28 years ago. He still cannot vote in his own country. His fellow South Africans still cannot vote for him should they wish to do so.

(Mr. Van Lierop, Vanuatu)

Until the time arrives when every man and every woman in South Africa can freely participate in choosing the Government of that country, there can be no claim to legitimacy by those who govern South Africa. A people figuratively held at gunpoint can hardly be said to have entered into a social contract and to have consented to be governed in such a manner.

It is incumbent upon the international community to comprehend that the effects of apartheid are so pervasive that even its demise will not bring an end to South Africa's problems. Indeed, there is ample evidence which suggests that the legacy of apartheid will continue to plague South Africa for generations.

Speaking in another context in the course of this debate, the Permanent Representative of Singapore aptly stated:

"It would appear that every time a knot is untied, another appears beneath it". (A/45/PV.56, p. 23)

Her imagery is, we believe, most appropriate.

The international community bears a special responsibility to help South Africa's people ensure that in unravelling the many knots of apartheid we do not also unravel the fabric of their existence. Vanuatu does not agree with those that suggest that the existing sanctions against South Africa should be eased. Instead, we believe that those sanctions should be continued, and other avenues by which to bring a rapid end to the system of apartheid should also be explored.

The sanctions directed against the South African régime were put in place to help unravel the knots of apartheid. We believe that an important and necessary corollary to those sanctions is the responsibility to promote affirmatively the economic and social development of the victims of apartheid. Sanctions, and the responsibilities imposed upon the international community by sanctions, should thus be viewed in other than their negative dimension. Once profound and irreversible

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changes have occurred in South Africa and that country is on the path to majority rule, affirmative action will be required by the international community to eliminate the vestiges and effects of apartheid.

A current common observation is that, with a few notable exceptions, the international political climate has changed for the better. Dialogue and reconciliation are currently in favour. Confrontation, again with a few notable exceptions, is rapidly falling into disfavour and becoming passé.

In the past, some tended to view the struggle against apartheid through the narrow prism of the old East-West antagonism. This worked to the detriment of the victims of apartheid as well as to the detriment of the victims of other forms of injustice. Now, finally, there is a growing recognition that apartheid must be looked at on its own, free of the baggage of extraneous antagonisms and ideological biases.

It is to be hoped that this approach will lead to a strengthening of the international resolve and consensus against apartheid. The mirage of false hope has been placed in front of us in the past by South Africa and undoubtedly will be placed in our path again, and again, and again. Should we succumb and be deceived by the mirage, we will wander about aimlessly and fail in our common quest to complete the long journey to end apartheid.

Thus, let us be flexible, but let us be vigilant; let us be open-minded, but let us be determined; let us maintain our international consensus and put a final and decisive end to apartheid.

Mr. SOMAVIA (Chile) (interpretation from Spanish): I wish to congratulate you, Sir, on your presiding over this meeting. It is a great honour to speak on this item under your leadership.

The dedication which the international community has shown on the subject of apartheid for over 40 years is yielding fruit. As a result of its persistence and its concern, reflected in solidarity with the victims of apartheid and in concrete measures to come to their assistance, the Members of the United Nations today have grounds for hope that this odious system of racial and human discrimination may disappear soon, as we all desire. The international community has made it absolutely clear that it wants to have among its members a South Africa which enjoys all the benefits and advantages of a united non-racial society, without discrimination, enriched by the different cultural components of its population.

It is surprising, and extremely short-sighted of those that defend the system of institutionalized racial discrimination and their allies, that they are not aware of the great damage that system does to the very national structure they believe they are protecting. There can be no doubt that an end to apartheid could help develop the creative forces throughout South Africa, which would have beneficial effects for that country and the rest of the nations of the African continent and the entire international community, which has for many years considered apartheid a major world problem that must be resolved without delay. Its moral, social and political connotations are unjustifiable at the end of the twentieth century.

There is no place today for the kind of fears about change that are the legacy of days gone by. This has been demonstrated by other societies that have turned to a future of hope, such as Namibia, whose people was able to dismantle the heinous system of apartheid unhesitatingly and untraumatically in order to build upon its

(Mr. Somavia, Chile)

attainment of independence a united democratic and non-racial society. This called for determination, a will to struggle, human understanding, generosity and thoughtful foresight, all of which the people of Namibia has proved to possess to a high degree, and which we see today in the people of South Africa.

Democratic Chile could not fail to participate in a debate as important as that in which we are engaged today. The characteristics of apartheid are particularly odious for Chileans, since our society results from an intermingling of peoples of different origins and cultures. The injurious effects of that practice and State policy on millions of human beings in southern Africa impel us to associate ourselves with the initiatives of the United Nations and the importance that the international community has attached to the consideration and study of this item. In its democratic history Chile has participated and continues today to participate actively in the constant and consistent struggle of the United Nations over more than four decades to free the world of this scourge.

We are therefore understandingly pleased that, at its sixteenth special session, in December of last year, the General Assembly adopted a Declaration establishing a decisive framework within which to achieve the permanent elimination of apartheid from the face of the Earth. That Declaration, adopted by an extraordinary consensus that reflected the importance member countries attached to this subject, specifies the measures the South African Government must take in order to resolve definitively this most urgent human and political problem.

The reports of the Secretary-General and the news reaching us from South Africa give us a clear and somewhat encouraging picture of the possibilities of understanding emerging between the Government of that country and the black majority, under the very distinguished leadership of Nelson Mandela. We cannot fail to express cautious satisfaction at the steps that have been taken to arrive

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at the beginnings of agreements that may be considered basic to the sought objectives. They have made it possible to begin negotiations on the future establishment of a political and social system in South Africa that allows for full coexistence, with complete fairness for all the inhabitants of the country - a democratic, non-racial system in a united South Africa. That is our hope, and it is in that direction that we shall channel Chile's efforts at solidarity with that endeavour.

None the less, on this occasion we cannot fail to express our concern that the measures taken by the South African régime have not got to the core of the problem. They have not led to the total elimination of the legal and juridical structure, which is repressive and keeps this odious system in force. The repeal of that legislation, with its special emphasis on the Internal Security Act, should create the appropriate atmosphere for the continuance of the negotiations which have begun and for unfettered political activity. All those in exile must be permitted to return unconditionally; the actions of vigilante groups against political opposition must come to an end; and current restrictions on the press must be lifted inter alia. We are particularly concerned at the increase of violence in South Africa, which unfortunately remains an instrument for the settlement of disputes and results only from the persistence of the apartheid régime. Violence is the declared enemy of democracy, which can only flourish in an atmosphere of mutual respect, and effective tolerance free of discrimination.

In Chile, we believe that the advances made thus far towards dismantling the system of apartheid have been extremely modest and could have been much more effective. The South African authorities must understand the urgent need for change. The wall of apartheid must be torn down as energetically as was the Berlin Wall.

(Mr. Somavia, Chile)

We believe the international community should acknowledge progress when it is effective and that it should promote faster change. But at the same time it must use pressure if the process stalls or slows down.

Sanctions against South Africa, while sometimes affecting the neediest sectors of the population, have none the less achieved and continue to achieve their goal, for they are a substantive way for the South African Government to gauge the degree to which the international community accepts the measures adopted to do away with apartheid. The Chilean Government considers that those sanctions must be maintained.

In this connection I reiterate that the democratic Government of Chile has implemented a series of domestic measures with the goal of strict compliance with Security Council resolutions in respect of the military embargo against South Africa. We have reported on these to the relevant United Nations Committees.

Nothing could be more abnormal than a group of human beings, merely because of the colour of their skin, being denied from birth any hope of development and of a good life, all through the irrationality of other human beings. These vestiges of a world which permitted slavery and later authorized and endorsed colonization must disappear for good. On the threshold of the twenty-first century, we must press forward to replace confrontation, selfishness and intolerance with understanding and co-operation. We must promote a world without colonies and without peoples under colonial régimes, a more ethical world imbued with justice and respect for the human person. There is no place for apartheid in such a world.

That is the belief of people the world over, especially in Latin America, the region to which Chile belongs. We understand the hardship and suffering of the black people of South Africa since in the recent past a large segment of the

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Chilean people were the victims of unjust discrimination at a time when - only temporarily, I am glad to say - hatred and political intolerance were imposed on my country.

For that reason, I want to be very clear and precise as I conclude my statement. My Government unequivocally rejects apartheid and will always be on the side of those who promote its total eradication. Apartheid cannot be modified; the free people of our world can accept only its complete elimination.

Mr. TRINH XUAN LANG (Viet Nam): The policy of apartheid pursued by the racist South African régime against the black majority in South Africa is the most abominable form of racial discrimination today. It is designed to ensure the fullest exploitation and repression of the black majority in South Africa and to treat its members as an underclass or as slaves. All the fundamental human rights of that majority have for many years been trampled upon, including the right to live as human beings. All the more dangerous and inhuman is the fact that apartheid has been pursued as a State policy and an institutionalized system by the South African régime. Many General Assembly resolutions have explicitly affirmed that the system of apartheid imposed on the South African people constitutes a violation of that people's fundamental rights, a crime against humanity and a constant threat to international peace and security.

The Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted unanimously by the General Assembly at its sixteenth special session, held in December 1989, constitutes a strong and unanimous signal from the international community that the abhorrent system of apartheid must be completely abolished. Apartheid is indeed a scourge and can in no way be reformed; it must be eradicated in its entirety.

(Mr. Trinh Xuan Lang, Viet Nam)

One year has passed since the General Assembly's special session at which it adopted the Declaration, and there have indeed been some changes in South Africa: the lifting of the ban on the activities of political parties and movements, the release of the well-known freedom fighter Nelson Mandela and a number of other political prisoners, and the beginning of a dialogue between the African National Congress of South Africa and the Pretoria authorities.

However, it must be pointed out that those changes are too little to correspond to what is stipulated in the Declaration, and are clearly insufficient to have the necessary desired impact on the political, economic and social lives of the South African black majority population. It should also be pointed out that, despite those new developments, the situation in South Africa remains in essence the same. The main pillars of apartheid are still intact. The fundamental structure of the policy and practices of apartheid has not been dismantled. The Group Areas Act, the Native Land Act, the Population Registration Act, the policy of bantustanization and other policies designed to maintain the system of apartheid against the South African black majority remain firmly in place.

In that respect, my delegation shares the view expressed in the report of the Monitoring Group of the Ad Hoc Committee on Southern Africa of the Organization of African Unity that

> "there has not been any fundamental or irreversible change in South Africa. The so-called changes which have led some members of the international community to believe that pressures should be relaxed vis-à-vis the apartheid régime fall far short of justifying that belief. Therefore, the recent sojourn of Mr. F. W. de Klerk and the attendant suggestions made to relax sanctions and other measures against the apartheid régime are tantamount to prematurely rewarding Mr. de Klerk and jeopardizing efforts to create the necessary climate for negotiations". (A/44/963, annex, para. 21.2.0)

(Mr. Trinh Xuan Lang, Viet Nam)

My delegation also views with serious concern the continuing violence in the black townships which obviously is a direct consequence of the continued stubborn maintenance of the abhorrent policies and practices of apartheid. The violence, often fanned by right-wing elements of the white community together with members of the police and security forces, has not only resulted in the loss of hundreds of lives, but will also delay the peaceful process of change, and could be used by the colonial régime in Pretoria as a pretext to obstruct the pursuit of political dialogue.

(Mr. Trinh Xuan Lang, Viet Nam)

As is pointed out in the report of the Special Committee against Apartheid, the

"heavy toll may result largely from the fact that security legislation empowers police officers above the rank of warrant officers to use arms, including fire arms, for dispersal of gatherings." (A/45/22, para. 61)

The Pretoria régime must take responsibility for this violence and take urgent action to put an end to it.

All those facts lay bare the real purposes of the racist régime, which will never abandon its racist nature and will do everything possible to protect its policy and safeguard its very existence.

For all these reasons, we fully support the request expressed by the freedom fighter Nelson Mandela that the sanctions that have been imposed should remain in place so long as the purpose for imposing them has not yet been achieved.

My delegation is of the view that the long and courageous struggle of the African people of South Africa itself, the unanimous support of the international community for the South African national liberation movement and the international pressure on the Pretoria régime have contributed significantly to bringing about the developments I have mentioned. The international community should be united to keep the pressure on the apartheid régime.

We therefore hold that existing measures against South Africa must be maintained until there is clear evidence of profound and irreversible change, as called for in the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa. The international community should take concerted measures to maintain sanctions against the racist régime of South Africa until the total dismantlement of the apartheid system is achieved, in conformity with that Declaration.

(Mr. Trinh Xuan Lang, Viet Nam)

We call on the South African Government to implement all measures enshrined in the Declaration in order to create the necessary climate for negotiations with the African National Congress. The racist South African régime must stop its policy of destabilization and aggression against the front-line States of southern Africa.

Viet Nam strongly condemns the policy of apartheid pursued by the racist South African régime. We are committed to the total eradication of apartheid. We appeal to the Secretary-General and the international community to intensify their efforts to complete the implementation of the General Assembly's Declaration on apartheid. We take this opportunity to reiterate our firm support for the just cause and struggle of the oppressed people in South Africa, under the leadership of the African National Congress, for the total eradication of apartheid and for the establishment of majority rule, through the full and free exercise of adult suffrage by all the people in a united and undivided South Africa.

Mr. MOHAMMED (Iraq) (interpretation from Arabic): A review of the experience of the struggle of the people of South Africa over the years gives us an opportunity at this important juncture to reaffirm the role of international solidarity in supporting that struggle and achieving its desired objectives through the complete elimination of the odious apartheid régime.

International solidarity in this case is expressed in two major ways: first, resolutions and declarations of international and regional organizations, foremost among which is the United Nations, and, secondly, the extent to which they are implemented and the degree of compliance with the measures they impose in various fields. They give expression to an important aspect of the principle of international responsibility in the areas of international relations and international law.

(Mr. Mohammed, Iraq)

Another fact that emerges from a review of that experience and its relationship with international solidarity is the correlation between the achievements and gains of the people of South Africa in the struggle and the level of international support arising from compliance with international resolutions and declarations. Consequently, the gains and achievements of the people of South Africa in their struggle are not the results of responsiveness or generosity on the part of the racist régime, as some would have us believe. Rather, they are further proof that what is really needed is to dismantle that régime, and not whitewash it or give it a facelift.

The facts on the ground show that murder and violence are on the increase in South Africa because of the continued enforcement of the apartheid laws. Prisons are still overflowing with political prisoners, and detention without trial continues to grow. The racist authorities continue to reject the unconditional return of political exiles and to refuse to repeal the Internal Security Act. Racist forces continue to be stationed in city centres, proving that the so-called positive developments are merely failed attempts at whitewashing the racist régime and are not genuine changes that will lead to the eradication of the régime.

All of those facts suggest that the régime is being perpetuated largely through the imbalances in compliance with United Nations resolutions. The pretexts given to justify non-compliance are best expressed in the well-known reservations advanced by the United States and its allies, particularly whenever the General Assembly votes on resolutions relating to the policies of apartheid and focusing on the need for a peaceful solution to end the apartheid régime and bring about black majority rule.

The way in which the struggle of the people of South Africa has been dealt with in the international arena exposes the immoral positions taken by those States with regard to the question of apartheid. The policy of appeasing the racist

(Mr. Mohammed, Iraq)

Pretoria régime allows those States to circumvent resolutions imposing an international embargo on that racist régime. It is a policy that threatens all the achievements of the struggle of the people of South Africa, of the struggle and sacrifices of the peoples of the front-line States and of all the efforts by the international community over many years to express its support for and solidarity with the people of South Africa.*

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* The President returned to the Chair.

(Mr. Mohammed, Iraq)

The stance taken by those States, on the side of the racist régime of South Africa, was the main cause for the perpetuation of this régime and for the continuing plight of the people of South Africa. This is one of the vivid examples which unmask the colonialist positions vis-à-vis the problems and causes of peoples. Support and solidarity are extended to racist and terroristic régimes, such as the racist régime of South Africa which indulges in the most horrific practices against human beings and against their basic rights. This year alone, 10 persons on average are killed daily. Support is also extended to the racist terroristic Zionist entity in occupied Palestine, where daily, the most heinous crimes are perpetrated, and where all humanitarian principles and values are trampled under foot without any intervention or any protest from the so-called defenders of human rights. On the contrary, they s ramble with their armies and lethal weapons to suppress and slaughter any people that aspires after safeguarding its legitimate rights, wealth and resources. This is exactly what is being done now against our Arab people, where the forces of the United States and its allies have occupied the holy lands in the Arab peninsula while they support all the policies of the racist régimes in Pretoria and Tel Aviv.

International law and international solidarity must serve the legitimate interests of peoples, not the illegitimate selfish interests of the major Powers, as is currently happening in the Arab Gulf, where these Powers seek to control the oil wealth of the region.

In the last months of 1989, the world heard alarming news of the developing nuclear collaboration between the racist régimes of Pretoria and Tel Aviv. That collaboration has reached dangerous levels that seem to have exceeded even the limits that are acceptable to the very quarters responsible for such collaboration.

(Mr. Mohammed, Iraq)

On the other hand, this has made it clear that the encouragement of these two régimes, particularly by the United States of America and its allies, to acquire and develop nuclear weapons and ballistic missiles and reap the fruits of the continued transfer to both régimes of advanced technology, is an extremely grave matter that poses threats to all without exception, especially that these two régimes pursue an internationally condemned racist policy against the peoples of South Africa and Palestine. They pursue a policy of aggression against the States of both regions: that policy is based on the achievement of military superiority, the acquisition of chemical and nuclear weapons, and the use of force and expansion at the expense of the peoples of both regions and their stability. These two régimes have not signed the non-proliferation Treaty. They still refuse to place their nuclear facilities under international supervision and inspection.

Iraq, proceeding from its firm policy of combating racism, racial discrimination and apartheid in all their forms, has consistently supported all the resolutions and measures adopted in international forums. Iraq had the honour to participate in placing the question of South Africa on the agenda of the United Nations in 1947. In all these positions, Iraq had proceeded from its commitment to the policy of co-ordinating with Arab and Muslim countries, as well as the countries of the Non-Aligned Movement and those of the international community.

Iraq has no military, commercial or political relations or any other kind of relations whatsoever with the régime of South Africa. Any allegation to the contrary is just that, a false, fabricated allegation. It is but another rabid attempt by the chorus led by certain States which support and encourage the policy of apartheid in South Africa to distort the image of Iraq. Those States are trying to exploit the circumstances arising from the so-called Gulf crisis, believing that the media hype is an opportunity to level baseless accusations against Iraq. Consequently, Iraq strongly rejects any such allegations. Iraq reaffirms that its

(Mr. Mohammed, Iraq)

policy of not dealing with the régime of South Africa and of compliance with the international embargo will never change. Rather, its policy will be escalated until the people of South Africa achieve their final victory against the odious régime of apartheid.

In this regard, we are confident that the Special Committee against Apartheid will never be taken in by these transparent attempts. That Committee is famous for its meticulous scrutiny of allegations. Here, we cannot fail to point out a glaring fact. None of the four reports issued by the Intergovernmental Group to Monitor the Supply and Shipping of Oil and Petroleum Products to South Africa made any such allegation or charge against Iraq. Iraq will continue to combat apartheid until its final elimination. Iraq will persist in rejecting these allegations made by some well-known countries to justify their support for and co-operation with the régime of South Africa.

I would like to seize this opportunity to express our high appreciation for the courageous, principled position expressed by Nelson Mandela vis-à-vis the so-called Gulf crisis.

In conclusion, I should like to reaffirm that Iraq, proceeding from its firm policy, reiterates here its continued support for the struggle of the people of South Africa for the liberation of their country. Iraq strongly condemns the odious régime of apartheid which Iraq considers to be a crime against humanity and a source of aggression, instability and tragedies. It must be completely eliminated, and black majority rule must be established.

Mr. ZAMORA RODRIGUEZ (Cuba) (interpretation from Spanish): Once again we must meet to consider the agenda item "Policies of apartheid of the Government of South Africa", which, to mankind's shame, has occupied the attention of the United Nations almost since the day the Organization was founded. Over the years we have endeavoured to find a way to put an end to that odious régime and to persuade the international community as a whole to take the measures necessary to enable the black majority in South Africa to exercise, unhindered, their legitimate rights as citizens of their own land. However, those efforts have produced but meagre results. The apartheid régime remains in place. Pretoria's racist policy continues to form, as it has for nearly half a century, the basis of South African society. The so-called separate development of the races - which means development for the white minority and growing despair for the huge black majority - remains at the very heart of a régime that hopes, by granting a few reforms won by the self-sacrificing struggle of the South African people, to overcome the repudiation and rejection of the overwhelming majority of our world's inhabitants.

It has been noted that there have recently been some encouraging signs in South Africa, in particular the release of Comrade Nelson Mandela, the legalization of the activities of the African National Congress (ANC) and other grass-roots organizations and the opening of a dialogue between the ANC and the Pretoria authorities.

We are witnessing a growing tendency to applaud the reforms that the South African Government is making, which some even feel constitute grounds for granting legality and international acceptance to a régime that is illegal by its very nature. In this way they try to reduce the pressure which the international community is exerting and must continue to exert on the South African authorities with a view to the total eradication of the policy of apartheid, with all its implications.

(Mr. Zamora Rodriguez, Cuba)

While it is true that there have been some positive changes, only the complete abrogation of the laws and measures of the apartheid régime, the release of all political prisoners, the lifting of the state of racial repression in place in South Africa and the ending of the bantustanization of the country can make it possible for both the South African people and the international community to verify and assess the true intentions of the South African Government.

In this connection we would like to recall the description in the Freedom Charter, signed in Kliptown in 1955, of a united, democratic and non-racial South Africa. That Charter states:

"South Africa belongs to all its inhabitants, white and black. No Government can justly claim authority unless it is based on the will of the people. The people will govern. All national groups will have equal rights. The people will share in the country's riches. The land will belong to those who work it. All will be equal before the law. The gateway to knowledge and culture will open. There will be houses and food. There will be peace and friendship."

Thus, until this comes to pass, until the legitimate aspirations of the South African people are fulfilled, we must redouble our efforts in support of the people of that country and their vanguard organization, the African National Congress. We must continue forcefully to denounce apartheid as a crime against humanity, and we must continue to advocate the imposition of comprehensive mandatory sanctions to compel the Pretoria Government to fulfil its obligations. Not to do so would amount to condoning the existence of apartheid. In spite of the reforms, there is no valid reason to reduce the pressure on the racist régime. The situation in South Africa remains uncertain and precarious, and the divisions that bantustanization has forced on the country still take their daily toll of human

(Mr. Zamora Rodriguez, Cuba)

lives. The structures of apartheid remain intact and it is still the declared official policy of the South African Government. The aspirations of its people, as set out in Kliptown by representatives of all races, have in no way been fulfilled.

We have no doubt that some people may be genuinely confused by the reforms carried out by the Pretoria authorities, but we are alarmed to note that many seem to be trying with ill-concealed complacency to divert the attention of the international community from repudiating the apartheid régime, and to bring about a reduction of the necessary pressure on it. We have seen how a number of countries, including some from Eastern Europe which were once defenders of the legitimate rights of the South African people, are today joining the chorus claiming legitimacy for a régime that remains an anachronism and an affront to the most cherished aspirations of all mankind.

Neither Pretoria's old allies nor its new friends have the right to ask for clemency just because the apartheid régime has taken certain action that is aimed, at most, at creating a more comfortable international situation and not at all at repudiating a policy that has been and is its raison d'être.

As a representative quite rightly noted yesterday in this Hall, we are pleased at the release of Nelson Mandela, but it would be absurd to reward the apartheid régime for having released him and his compatriots when they should never have been imprisoned in the first place. The representative also said, quite rightly, that, had the atrocities committed by the white minority régime against the oppressed black majority in South Africa been committed by the latter against the former, we would be hearing demands for Nuremberg-style trials of the South African leadership rather than demands that it be rewarded.

(Mr. Zamora Rodriguez, Cuba)

Apartheid cannot be reformed. It must be totally eradicated, and it is both the duty and the right of the South African people, and of this Organization, to ensure that it is. If we did not do so, that would make us accomplices in racism, which is prohibited by the United Nations Charter and by the most fundamental norms of law and civilization.

The meeting rose at 1 p.m.